

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

DISPLAY TECHNOLOGIES, LLC, <div style="text-align: center;">Plaintiff,</div> vs. INFORMED DATA SYSTEMS, INC., d/b/a One Drop, <div style="text-align: center;">Defendant.</div> <hr style="width: 100%;"/>	§ § § § § § § § § § §	Case No: 1:22-cv-00441-JMF PATENT CASE JURY TRIAL DEMANDED
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PLAINTIFF’S FIRST AMENDED COMPLAINT

Plaintiff Display Technologies, LLC (“Plaintiff” or “Display”) files this First Amended Complaint against Informed Data Systems, Inc. d/b/a One Drop Corporation (“Defendant” or “One Drop”) for infringement of United States Patent No. 9,300,723 (the “ ‘723 Patent”).

PARTIES AND JURISDICTION

1. This is an action for patent infringement under Title 35 of the United States Code. Plaintiff is seeking injunctive relief as well as damages.

2. Jurisdiction is proper in this Court pursuant to 28 U.S.C. §§ 1331 (Federal Question) and 1338(a) (Patents) because this is a civil action for patent infringement arising under the United States patent statutes.

3. Plaintiff is a Texas limited liability company with an address of 1 East Broward Boulevard, Suite 700, Ft. Lauderdale, FL 33301.

4. On information and belief, Defendant is a Delaware corporation with a principal place of business at 166 Mercer Street, 2nd Floor, New York, NY 10012. On information and belief, Defendant may be served through its agent, Corporation Service Company, 251 Little Falls Drive, Wilmington, DE 19808.

5. This Court has personal jurisdiction over Defendant because Defendant has committed, and continues to commit, acts of infringement in this District, has conducted business in this District, and/or has engaged in continuous and systematic activities in this District.

6. Upon information and belief, Defendant's instrumentalities that are alleged herein to infringe were and continue to be used, imported, offered for sale, and/or sold in this District.

VENUE

7. On information and belief, venue is proper in this District under 28 U.S.C. § 1400(b) because Defendant is a resident of this District. Alternatively, acts of infringement are occurring in this District and Defendant has a regular and established place of business in this District.

COUNT I **(INFRINGEMENT OF UNITED STATES PATENT NO. 9,300,723)**

8. Plaintiff incorporates paragraphs 1 through 7 herein by reference.

9. This cause of action arises under the patent laws of the United States and, in particular, under 35 U.S.C. §§ 271, *et seq.*

10. Plaintiff is the owner by assignment of the '723 Patent with sole rights to enforce the '723 Patent and sue infringers.

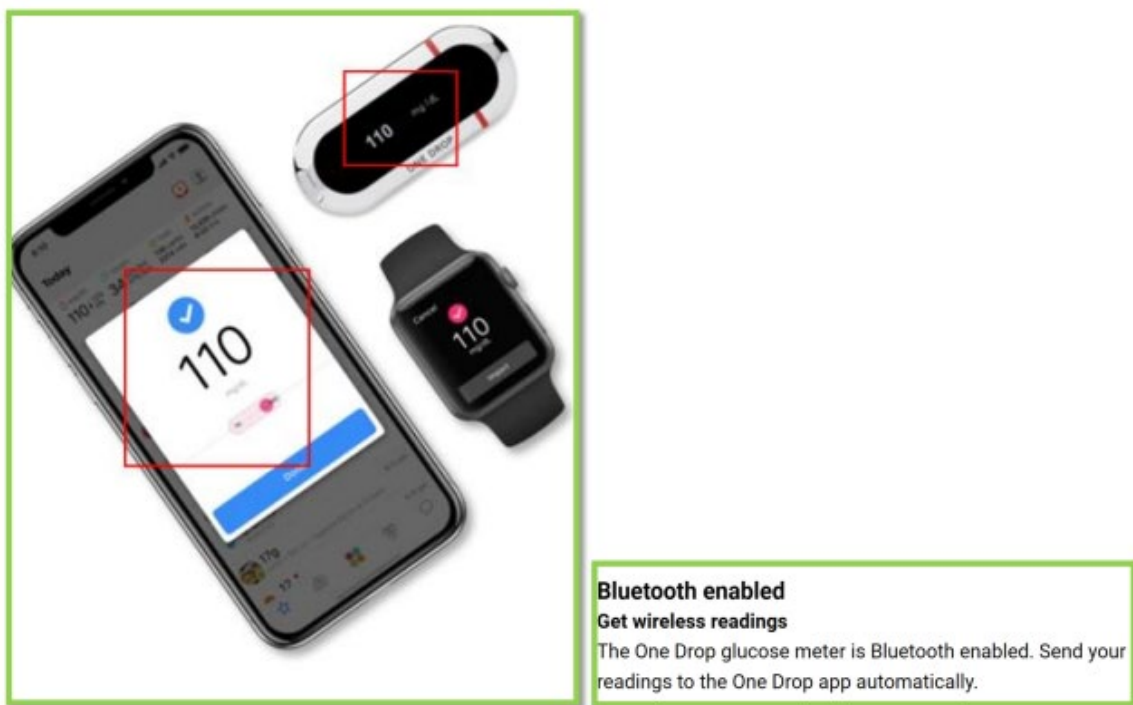
11. A copy of the '723 Patent, titled "Enabling social interactive wireless communications," is attached hereto as Exhibit A.

12. The '723 Patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the United States Code.

13. Defendant has infringed and continues to infringe one or more claims, including at least Claim 1 of the '723 Patent by making, using, and/or selling media systems covered by one or more claims of the '723 Patent. For example, Defendant makes, uses, and/or sells the One Drop

health application, One Drop Glucose monitor, associated software, hardware and/or apps, and any similar products (“Product”). At a minimum by internal testing, Defendant has infringed and continues to infringe the ‘723 Patent in violation of 35 U.S.C. § 271.

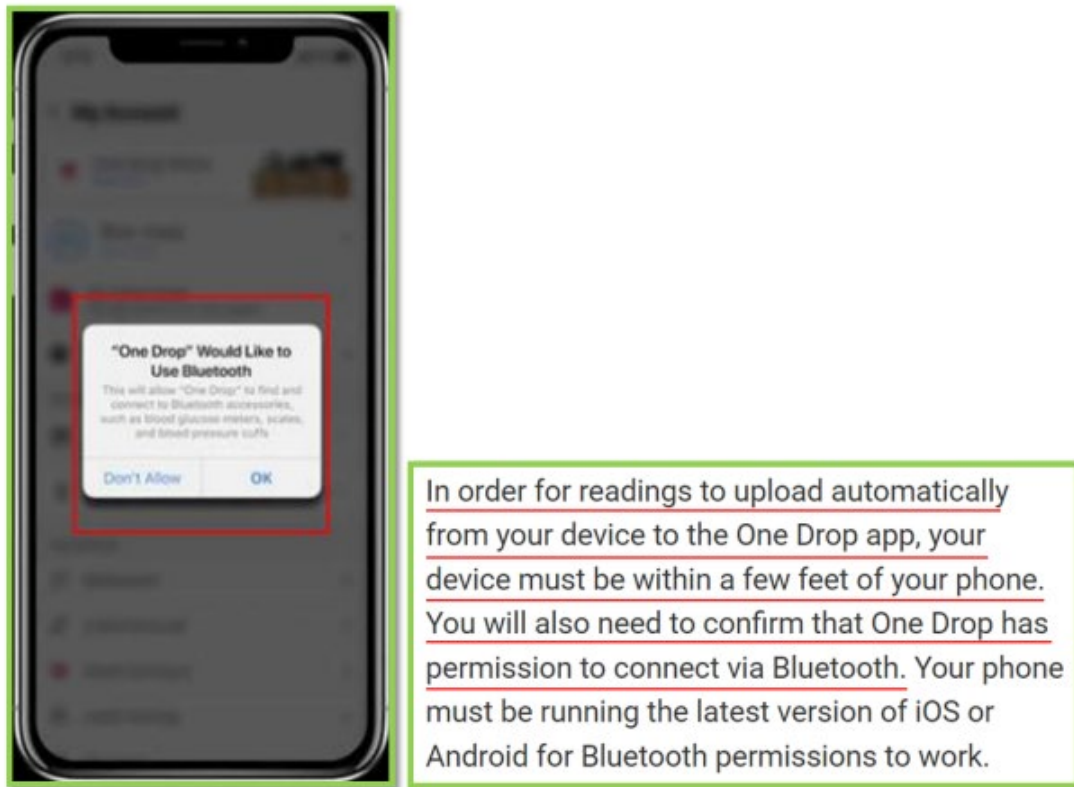
14. Regarding Claim 1, the Product is a media system. The Product includes a media system (e.g., health app) configured to allow a user to view a media file (e.g., health data) from a medical device by a media terminal (e.g., smartphone) from a media node (e.g., medical device) over a communication network (e.g., Bluetooth network) through a communication link. Certain aspects of this element are illustrated in the screenshots below and/or those provided in connection with other allegations herein.



Source: <https://onedrop.today/products/glucose-meter-kit>

15. The Product includes at least one media terminal disposed in an accessible relation to at least one interactive computer network. For example, the Bluetooth network is used for sending health data from a media node (medical device) by detecting a smartphone (at least one media terminal) when the Product’s app is installed on the smartphone and connected with the

Product's media node through a Bluetooth network (i.e., the smartphone is in an accessible relationship with the interactive computer network). Certain aspects of this element are illustrated in the screenshots below and/or in those provided in connection with other allegations herein.



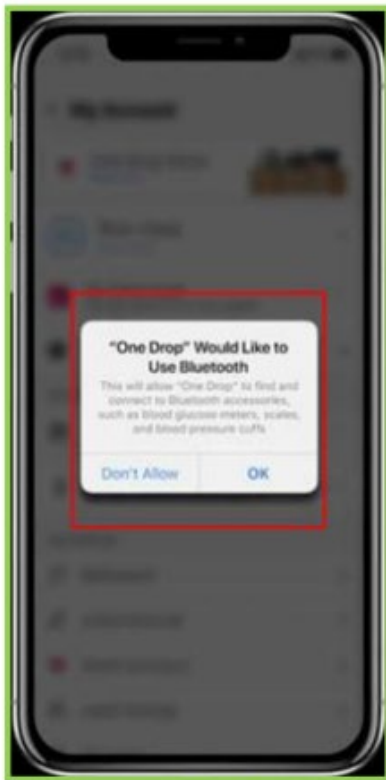
Source: <https://onedrop.today/blogs/support/meter-setup>

16. A wireless range is structured to permit authorized access to the at least one interactive computer network. For example, the Bluetooth signals of the Product's medical device (media node) have a range within which the smartphone (media terminal) may connect.



Source: <https://www.youtube.com/watch?v=90Ee6tJuQFU>

17. At least one media node is disposable within the wireless range, wherein the at least one media node is detectable by the at least one media terminal. For example, the Product's medical device (media node) is detectable by the media terminal (smartphone). Certain aspects of this element are illustrated in the screenshots below and/or those provided in connection with other allegations herein.



In order for readings to upload automatically from your device to the One Drop app, your device must be within a few feet of your phone. You will also need to confirm that One Drop has permission to connect via Bluetooth. Your phone must be running the latest version of iOS or Android for Bluetooth permissions to work.

Source: <https://onedrop.today/blogs/support/meter-setup>



Source: <https://www.youtube.com/watch?v=90Ee6tJuQFU>

18. At least one digital media file is initially disposed on at least one media terminal or on at least one media node and the at least one media terminal is structured to detect at least one media node disposed within the wireless range. For example, the health data is initially disposed on the media node (medical device/monitor) and the media terminal can detect the medical device when it is within the appropriate range. Certain aspects of this element are illustrated in the screenshots below and/or those provided in connection with other allegations herein.

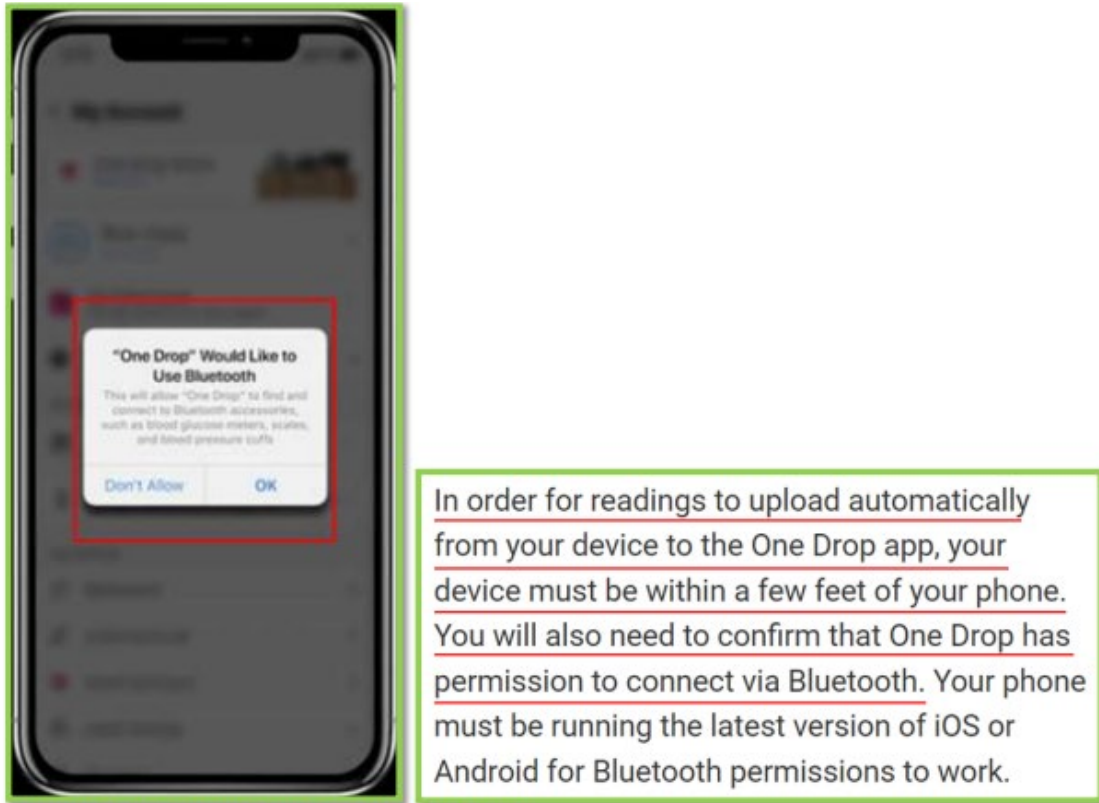


Source: <https://onedrop.today/products/glucose-meter-kit>

19. A communication link is structured to dispose the at least one media terminal and the at least one media node in a communicative relation with one another via the at least one interactive computer network. For example, the smartphone and medical device are in a communicative relation over the Bluetooth network.

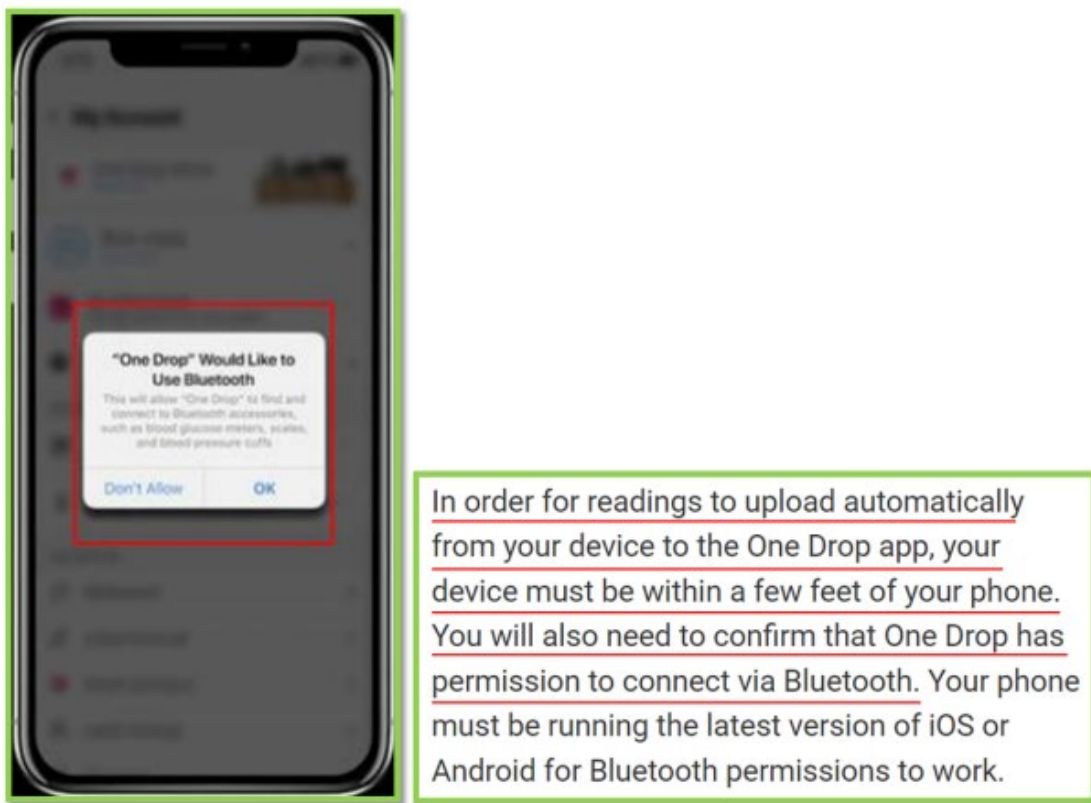


Source: <https://www.youtube.com/watch?v=90Ee6tJuQFU>



Source: <https://onedrop.today/blogs/support/meter-setup>

20. The communication link is initiated by the at least one media terminal. For example, when the user turns on Bluetooth on the smartphone (media terminal), the smartphone initiates the communication link.



Source: <https://onedrop.today/blogs/support/meter-setup>

21. The at least one media node and the at least one media terminal are structured to transmit the at least one digital media file therebetween via the communication link. For example, the smartphone/app and the medical device are structured to transmit health data from the device to the smartphone over the wireless network.

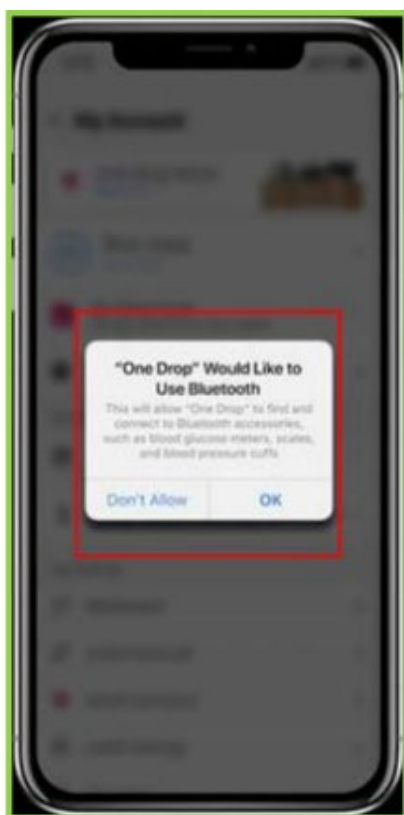


Bluetooth enabled

Get wireless readings

The One Drop glucose meter is Bluetooth enabled. Send your readings to the One Drop app automatically.

Source: <https://onedrop.today/products/glucose-meter-kit>



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Source: <https://onedrop.today/blogs/support/meter-setup>

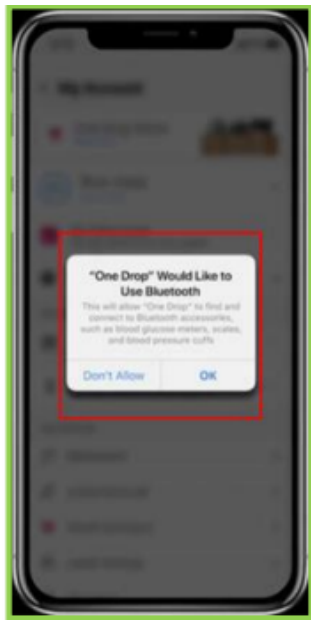
22. The communication link is structured to bypass at least one media terminal security measure for a limited permissible use of the communication link by the media node to only transferring the at least one digital media file to, and displaying the at least one digital media file on, the at least one media terminal. For example, the communication link is structured so that whenever the user installs the Product's app on the smartphone (media terminal), the smartphone automatically connects (bypassing any security measures) with the Product's medical device through Bluetooth code (i.e., media terminal security) whenever the smartphone comes to the range of the Bluetooth signals (for the limited purpose of transferring data form the device to the smartphone).



Source: <https://onedrop.today/products/glucose-meter-kit>



Source: <https://www.youtube.com/watch?v=90Ee6tJuQFU>



In order for readings to upload automatically from your device to the One Drop app, your device must be within a few feet of your phone. You will also need to confirm that One Drop has permission to connect via Bluetooth. Your phone must be running the latest version of iOS or Android for Bluetooth permissions to work.

Source: <https://onedrop.today/blogs/support/meter-setup>

Your device should remember your meter. You do not need to pair your meter to your device each time you check your blood sugar. Note that when your glucose meter is not actively taking a reading, the meter will appear as "not connected" in your list of Bluetooth devices.

Source: <https://onedrop.today/blogs/support/meter-setup>

23. Furthermore, Defendant directly infringed one or more claims of the '723 Patent in at least this District by making, using, offering to sell, selling and/or importing, without limitation, at least the Product as identified in the charts incorporated into this Count below. The Product infringed at least the exemplary claim(s) of the '723 Patent (Exemplary Patent Claims), as also identified in the charts incorporated into this Count below literally and/or by the doctrine of equivalents.

23. Defendant also directly infringed, literally and/or under the doctrine of equivalents, the Exemplary Patent Claims, by having its employees internally test and use the Product.

24. Exhibit B includes charts comparing the Exemplary Patent Claims to the exemplary Product. As set forth in these charts, the exemplary Product practices the technology claimed by

the '723 Patent. Accordingly, the exemplary Product incorporated in these charts satisfies all elements of the Exemplary Patent Claims.

25. Plaintiff therefore incorporates by reference in its allegations herein the claim charts of Exhibit B.

26. Plaintiff is entitled to recover damages adequate to compensate for Defendant's infringement.

28. Defendant's actions complained of herein will continue unless Defendant is enjoined by this court.

29. Defendant's actions complained of herein are causing irreparable harm and monetary damage to Plaintiff and will continue to do so unless and until Defendant is enjoined and restrained by this Court.

30. Plaintiff is in compliance with 35 U.S.C. § 287.

JURY DEMAND

31. Under Rule 38(b) of the Federal Rules of Civil Procedure, Plaintiff respectfully requests a trial by jury on all issues so triable.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff asks the Court to:

(a) Enter judgment for Plaintiff on this Complaint on all causes of action asserted herein;

(b) Enter an Order enjoining Defendant, its agents, officers, servants, employees, attorneys, and all persons in active concert or participation with Defendant who receive notice of the order from further infringement of United States Patent No. 9,300,723 (or, in the alternative, awarding Plaintiff running royalties from the time of judgment going forward);

(c) Award Plaintiff damages resulting from Defendant's infringement in accordance

with 35 U.S.C. § 284;

(d) Award Plaintiff pre-judgment and post-judgment interest and costs; and

(e) Award Plaintiff such further relief to which the Court finds Plaintiff entitled under law or equity.

Dated: April 4, 2022.

Respectfully submitted,

/s/ Jay Johnson

JAY JOHNSON (*Admitted PHV*)

State Bar No. 24067322

D. BRADLEY KIZZIA

State Bar No. 11547550

KIZZIA JOHNSON, PLLC

1910 Pacific Ave., Suite 13000

Dallas, Texas 75201

(214) 451-0164

Fax: (214) 451-0165

jay@kjpllc.com

bkizzia@kjpllc.com

ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing document was filed electronically on April 4, 2022, and was served via CM/ECF on all counsel who are deemed to have consented to electronic service.

/s/ Jay Johnson

JAY JOHNSON (*Admitted PHV*)